

**IN THE CIRCUIT COURT OF FRANKLIN COUNTY, TENNESSEE**  
**AT WINCHESTER**

LAUREN LOWE and husband, PAUL LOWE, )

Plaintiff, )

vs. )

WAL-MART ASSOCIATES, INC., )  
d/b/a Wal-Mart Supercenter, #735 )

Defendant. )

FILED 4/2/20  
TIME 1:50 PM  
ROBERT BAGGETT  
CIRCUIT COURT CLERK  
FRANKLIN COUNTY, TN

Case No. 20-CV-108  
JURY DEMAND

**COMPLAINT**

1. The plaintiffs are resident citizens of Franklin County, Tennessee, and reside at 477 Wilkerson Lane, Winchester, Tennessee.

2. The defendant, Wal-Mart Associates, Inc., (hereinafter referred to as "Wal-Mart") is a foreign corporation authorized to do business within the state of Tennessee. This defendant owns and operates the Wal-Mart Supercenter, located in Merchant Central Shopping Center at 2675 Decherd Boulevard, Winchester, Tennessee. This defendant may be served through their Registered Agent, to-wit: CT Corporation System, 800 South Gay Street, Suite 2021, Knoxville, Tennessee, 37929-9710.

3. This cause of action arises due to injuries the plaintiff, Lauren Lowe, sustained while she was a guest at the Wal-Mart Supercenter located at 2675 Decherd Boulevard, Winchester, Tennessee on or about June 23, 2019. All parties are properly before this court and this court has jurisdiction over this action.

**EXHIBIT B**

4. On or about June 23, 2019, the plaintiffs were shopping at the Wal-Mart Supercenter in Winchester, Tennessee. The plaintiffs were in the soft drinks section of the store when the plaintiff, Lauren Lowe, slipped on something in the floor. The plaintiff's left knee made impact with the floor. After she fell, the plaintiff noticed that her clothing was wet from liquid on the floor. The plaintiff noticed that her left knee immediately began swelling. The plaintiff was transported to the Southern Tennessee Regional Health System in Winchester, Tennessee, by ambulance. Unbeknownst to the plaintiffs, a Wal-Mart employee had been cleaning the floor in the area and did not leave any warning signs to the public of the wet condition of the floor.

5. The plaintiffs allege that Wal-Mart Superstore was negligent in one or more of the following respects:

- a. The defendant failed to exercise reasonable care to provide and maintain a reasonably safe premise for patrons and guests of the store;
- b. The defendant was negligent for failing to warn the plaintiffs of hazards on the premises;
- c. The defendant was negligent for failing to maintain the premises in a safe condition free of hazards;
- d. The defendant was negligent by failing to inspect, remove, or alter conditions on the premises which were likely to cause injury or damage to guests of the store; and
- e. The defendant was negligent by failing to identify and remedy known, foreseeable hazards on the premises.

6. The plaintiff, Lauren Lowe, avers that she has suffered severe and permanent injuries due to the negligent actions of the defendant as alleged herein. The plaintiff specifically alleges that she suffered an injury to her legs, arms, and body as a whole. The

plaintiff avers that she has incurred extensive medical expenses for the care and treatment of her injuries. Due to the permanent nature of her injuries, the plaintiff will likely incur future medical expenses for the care and treatment of her injuries. The plaintiff alleges that she has suffered excruciating physical pain and mental anguish due to her injuries which will likely plague her for the remainder of her life. The plaintiff's ability to enjoy life has been severely impaired due to her injuries. The plaintiff has lost income due to her injuries. The plaintiff's earning capacity has been severely reduced because of her injuries. The plaintiff has suffered permanent impairment and disfigurement. The plaintiff avers that she is entitled to compensation for all injuries and damages she has sustained due to the negligent actions of the defendant as alleged herein.

7. The plaintiff, Paul Lowe, avers that he is the husband of Lauren Lowe. This plaintiff avers that he has suffered the loss of services, companionship, and consortium of his wife due to the debilitating nature of the plaintiff's injuries as set forth herein. The plaintiff avers that he is entitled to compensation from the defendant for all injuries and damages he has sustained due to the negligent actions of the defendant as averred herein.

WHEREFORE, the plaintiffs pray for a judgment against the defendant in the amount of Seventy Four Thousand Nine Hundred Dollars (\$74,900.00). The plaintiffs ask for such other general relief, including the award of discretionary costs, as the court deems appropriate. The plaintiffs demand a jury of 12 to try the issues when joined.

Respectfully submitted,

SWAFFORD, PETERS, PRIEST & HALL

BY: 

Timothy S. Priest, BPR# 013922  
Attorney for Plaintiffs  
120 North Jefferson Street  
Winchester, TN 37398

We go as surety for all amounts required  
by law or included in the Clerk's Bill of  
Costs, not to include discretionary costs.

SWAFFORD, PETERS, PRIEST & HALL

BY:   
Timothy S. Priest  
Attorney for Plaintiff